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5 || Attorneys for Plaintiff,  
**CUC DANG**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

9 CUC DANG,

**Plaintiff,**

VS.

SUTTER'S PLACE, INC. dba BAY 101 or  
BAY 101 CASINO, et. al.,

## Defendants.

Case No. 10-CV-02181 (RMW)

**STIPULATION AND []  
ORDER TO EXTEND ADR DEADLINE**

Complaint Filed: May 20, 2010

Pursuant to a stipulation between plaintiff, Cuc Dang (“Dang”), and defendant, Sutter’s Place, Inc. dba Bay 101 (“Bay 101”) (collectively “the parties”), to submit this matter to mediation, the Court, on August 26, 2010, issued an Order setting December 31, 2010 as the deadline for mediation. Thereafter, the parties scheduled a mediation with Judge William Martin of JAMS for November 30, 2010.

On August 27, 2010, a hearing was held on the motions to dismiss brought by Bay 101 and defendant Unite Here! Local 19 (“the Union”), along with a Case Management Conference. The Court took the motions to dismiss under submission, ordered initial disclosures be completed by September 17, 2010, and stayed discovery pending the next Case Management Conference, which was to be set when the Court issued its decision on the motions to dismiss. While the Union’s motion to dismiss was granted with leave to amend on September 2, 2010<sup>1</sup>,

<sup>1</sup> Following the Court's September 2, 2010 order granting the Union's motion to dismiss, Dang and the Union entered into a stipulation dismissing the Union with prejudice. The order granting the dismissal was signed by the Court on September 22, 2010.

1 the Court has not issued an order as to Bay 101's motion. The parties believe that a mediation  
2 would be more productive after the Court has issued its order on Bay 101's motion to dismiss,  
3 and the operative complaint and Bay 101's answer have been filed. Dang also believes that  
4 mediation would be more effective if the Court permits discovery. Bay 101 believes that  
5 conducting discovery before the operative complaint and answer are on file is counter-productive  
6 and that discovery is not necessary before mediation takes place.

7 Thus, Dang and Bay 101, by and through their respective counsel, stipulate that the  
8 deadline for the parties to complete mediation in this matter be continued from December 31,  
9 2010 to April 29, 2011.

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11 Dated: November 19, 2010

ROBINSON & WOOD, INC.

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/s/

ANN A. NGUYEN  
Attorneys for Plaintiff CUC DANG

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Dated: November 19, 2010

McMANIS FAULKNER

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/s/

MATTHEW SCHECHTER  
Attorneys for Defendant,  
SUTTER'S PLACE, INC. dba BAY 101

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**ORDER**

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Pursuant to stipulation above, the deadline for the parties to complete mediation is April  
29, 2011.

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Dated: 12/22, 2010



Judge Ronald M. Whyte  
United States District Court